

Understanding Adverse Underwriting and TIA requirements

Adverse Underwriting Obligations

If your client electronically signs a Foresters FinancialTM Insurance Application but it is not submitted to Foresters

Applicable to: AZ, CA, CT, GA, IL, MA, ME, MN, MT, NC, NV, NJ, OH, OR, VA

The above 15 states have insurance regulations legally obligating a producer to provide, in writing, an Adverse Underwriting Notice and Summary of Rights to an applicant when an insurance producer does not apply for insurance coverage with a specific insurer that the insurance producer represents and that it is requested by an applicant.

What this means for you is that for each Foresters electronic insurance application that was e-signed in one of these 15 states by the applicant, but you did not send it to Foresters for a reason other than the applicant's request to cancel, withdraw or not submit the application, whether you also e-signed the application or not, you must provide the proposed insured/owner with a written Adverse Underwriting Decision Notice that includes a summary of rights. Unless you can send that communication by encrypted email, we recommend that you instead send it by regular mail to meet state privacy laws.

Your state Department of Insurance may be able to provide you with further information regarding the content of the notice required.

Temporary Life Insurance Agreement (TIA) Requirement

If your client electronically signs a Foresters Insurance Application but it is not submitted to Foresters, the Temporary Life Insurance Agreement (TIA) will be terminated.

Applicable to: All states

If the pre-conditions to temporary coverage are met, including the proposed insured/owner having e-signed a Foresters electronic application, the proposed insured will be temporarily covered under, subject to the terms of, Foresters Temporary Life Insurance Agreement ("TIA").

For each Foresters electronic insurance application that was e-signed in any state by the applicant but you did not send to Foresters for a reason other than the applicant's request to cancel, withdraw or not submit the application, whether you also e-signed the application or not, you must notify the proposed insured/owner that:

- His/her application has not been submitted to Foresters; and
- If he/she had temporary coverage under the TIA, that temporary coverage is no longer in effect

We ask that you document for your files to reflect that either:

- The proposed insured requested that his/her application be withdrawn, cancelled or that you not submit the application to Foresters
- The date you contacted the proposed insured and notified him/her that he/she no longer has temporary coverage under the Temporary Insurance Agreement